

term *U.S. No. 1* shall have the same meaning as set forth in these standards. *Processing* means cooking or freezing the onions in such a way, or with such other food components, that the consistency of the product is changed. Canning and freezing shall be considered forms of processing. All other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 143, as amended, and this part.

[47 FR 8552, Mar. 1, 1982, as amended at 49 FR 4932, Feb. 9, 1984; 52 FR 19281, May 22, 1987; 52 FR 20192, May 29, 1987; 54 FR 8520, Mar. 1, 1989; 55 FR 7690, Mar. 5, 1990; 57 FR 28592, June 26, 1992; 59 FR 13431, Mar. 22, 1994; 59 FR 17267, Apr. 12, 1994; 60 FR 40748, Aug. 10, 1995; 61 FR 24878, May 17, 1996; 62 FR 19668, Apr. 23, 1997; 62 FR 38204, July 17, 1997; 63 FR 9131, Feb. 24, 1998; 65 FR 7715, Feb. 16, 2000; 68 FR 11466, Mar. 11, 2003; 68 FR 37068, June 23, 2003]

EDITORIAL NOTE: After January 1, 1979 “Budget of Expenses and Rate of Assessment” regulations (e.g., sections .200 through .299) and “Handling” regulations (e.g., sections .300 through .399) which are in effect for a year or less, will not be carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these regulations, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

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Agricultural Marketing Service, USDA

§ 966.7

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AUTHORITY: 7 U.S.C. 601–674.

Subpart—Order Regulating Handling

SOURCE: 20 FR 7357, Oct. 4, 1955, unless otherwise noted. Redesignated at 26 FR 12751, Dec. 30, 1961.

DEFINITIONS

§ 966.1 Secretary.

Secretary means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

§ 966.2 Act.

Act means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601 *et seq.*; 68 Stat. 906, 1047).

§ 966.3 Person.

Person means an individual, partnership, corporation, association, or any other business unit.

§ 966.4 Production area and regulated area.

(a) *Production area* means the counties of Pinellas, Hillsborough, Polk, Osceola, and Brevard in the State of Florida, and all the counties of that State situated south of such counties.

(b) *Regulated area* means that portion of the State of Florida which is bounded by the Suwannee River, the Georgia border, the Atlantic Ocean, and the Gulf of Mexico.

[33 FR 8585, June 12, 1968, as amended at 34 FR 19186, Dec. 4, 1969]

§ 966.5 Tomatoes.

Tomatoes means all varieties of the edible fruit (*Lycopersicon esculentum*) commonly known as tomatoes and grown within the production area.

§ 966.6 Handler.

Handler is synonymous with *shipper* and means any person (except a common or contract carrier transporting tomatoes for another person) who, as owner, agent, or otherwise, handles fresh tomatoes or causes fresh tomatoes to be handled.

[33 FR 8585, June 12, 1968]

§ 966.7 Handle.

Handle or *ship* means to sell, transport, deliver, or in any other way to place fresh tomatoes, produced in the production area, in the current of commerce within the regulated area or between any point in the regulated area and any point outside thereof. Such term shall not include the transportation, sale or delivery of field-run tomatoes within the production area by the producer thereof to a registered handler for the purpose of having such